

65. (Amended) A method of identifying a compound which binds to a polypeptide comprising:

- (a) contacting the polypeptide of claim 14 with a compound; and
- (b) determining the extent of binding of the polypeptide to the compound.

Q12  
66. (Amended) A method of modulating levels of a polypeptide in an animal comprising administering to the animal the nucleic acid molecule of claim 1.

67. (Amended) A transgenic non-human mammal comprising the nucleic acid molecule of claim 1.

Q13  
75. (Amended) A polynucleotide according to claim 1 attached to a solid support.

76. (Amended) An array of polynucleotides comprising at least one polynucleotide according to claim 1.

#### REMARKS

The foregoing amendments to the specification and claims are supported in the application as filed and do not introduce new matter. These amendments are being made without prejudice to the Applicants' right to pursue claims of the same or similar scope in a duly filed continuing application.

The changes embodied in the substitute Sequence Listing pertain only to compliance with formatting rules. The substitute Sequence Listing corrects the surname order of the authors, includes the current application number and filing date, corrects the number of sequence identifications listed in item <160> from 12 to 15, corrects the artificial sequence description of SEQ ID NO: 5, and notes the correct residues and locations for an "n" or "Xaa" as indicated in the Raw Sequence Listing Error Report. Accompanying this amendment is a substitute Sequence Listing in both computer readable and paper forms, along with a Statement Pursuant to 37 C.F.R. §1.825 that the disclosures in the computer readable and paper forms are the same and do not introduce new matter into the disclosure of the application.

With respect to the claims, these amendments were made primarily to remove dependent claims and multiple dependencies. Thus, the amendments do not add new matter. These amendments are intended to improve compliance with PTO formalities and are not for any reason related to patentability issues. Thus, claims 1-5, 8-37, and 39-76 are now pending. A marked-up version of the amended claims (EXHIBIT A) and a clean copy of the pending claims (EXHIBIT B) are submitted herewith.

Should the Examiner have any questions of form or substance, the Examiner is invited to contact the undersigned attorney at the number listed below.

Respectfully submitted,

MARSHALL, GERSTEIN & BORUN  
6300 Sears Tower  
233 South Wacker Drive  
Chicago, Illinois 60606-6402  
(312) 474-6300

By: \_\_\_\_\_

William K. Merkel  
Reg. No. 40,725

November 19, 2001

**EXHIBIT A**  
**MARKED UP VERSION OF CLAIMS CHANGES**

4. (Amended) A vector comprising the nucleic acid molecule of [claims] claim 1[, 2, or 3].
- [6. The host cell of claim 5 that is a eukaryotic cell.]
- [7. The host cell of claim 5 that is a prokaryotic cell.]
12. (Amended) A process for identifying candidate inhibitors of h2520-59 polypeptide activity or production comprising exposing a cell according to [claims] claim 5[, 6, or 7] to the candidate inhibitors, measuring h2520-59 polypeptide activity or production in said cell, and comparing activity of h2520-59 in cells exposed to the candidate inhibitor with activity in cells not exposed to the candidate inhibitor.
13. (Amended) A process for identifying candidate stimulators of h2520-59 polypeptide activity or production comprising exposing a cell according to [claims] claim 5[, 6, or 7] to the candidate stimulators, measuring h2520-59 polypeptide activity or production in said cell, and comparing activity of h2520-59 in cells exposed to the candidate stimulator with activity in cells not exposed to the candidate stimulator.
23. (Amended) An isolated polypeptide encoded by the nucleic acid molecule of [any of claims] claim 1[, 2, or 3].
26. (Amended) An antibody or fragment thereof that specifically binds the polypeptide of [any of claims] claim 14[, 15, or 16].
29. (Amended) A method of detecting or quantitating the amount of h2520-59 polypeptide in a sample comprising contacting a sample suspected of containing h2520-59 polypeptide with the anti-h2520-59 antibody or antibody fragment of [any of claims] claim

25[, 26, or 27] and detecting the binding of said antibody or antibody fragment.

[38. The selective binding agent of claim 30 that is an anti-idiotypic antibody or fragment thereof.]

46. (Amended) A hybridoma that produces a selective binding agent capable of binding a polypeptide according to [any of claims] claim 14[, 15, or 16].

47. (Amended) A composition comprising the polypeptide of [any of claims] claim 14[, 15, or 16] and a pharmaceutically acceptable formulation agent.

50. (Amended) A polypeptide comprising a derivative of the polypeptide of [any of claims] claim 14[, 15, or 16].

53. (Amended) A composition comprising a nucleic acid molecule of [any of claims] claim 1[, 2, or 3] and a pharmaceutically acceptable formulation agent.

55. (Amended) A viral vector comprising a nucleic acid molecule of [any of claims] claim 1[, 2, or 3].

56. (Amended) A fusion polypeptide comprising the polypeptide of [any of claims] claim 14[, 15, or 16] fused to a heterologous amino acid sequence.

61. (Amended) A method for treating, preventing or ameliorating a medical condition in a mammal resulting from decreased levels of h2520-59 polypeptide comprising administering to a patient a therapeutically effective amount of the polypeptide of [any of claims] claim 14[, 15, or 16] or the polypeptide encoded by the nucleic acid of [any of claims] claim 1[, 2, or 3] to said mammal.

62. (Amended) A method of diagnosing a pathological condition or a susceptibility to a pathological condition in a subject caused by or resulting from abnormal levels of h2520-59

polypeptide comprising:

- (a) determining the presence or amount of expression of the polypeptide of [any of claims] claim 14[, 15, or 16] or the polypeptide encoded by the nucleic acid molecule of [any of claims] claim 1[, 2, or 3] in a sample; and
- (b) comparing the level of h2520-59 polypeptide in a biological, tissue or cellular sample from normal subjects or the subject at a different time, wherein susceptibility to a pathological condition is based on the presence or amount of expression of the polypeptide.

63. (Amended) A device, comprising:

- (a) a membrane suitable for implantation; and
- (b) cells encapsulated within said membrane, wherein said cells secrete a polypeptide of [any of claims] claim 14[, 15, or 16], and wherein said membrane is permeable to said protein.

65. (Amended) A method of identifying a compound which binds to a polypeptide comprising:

- (a) contacting the polypeptide of [any of claims] claim 14[, 15, or 16] with a compound; and
- (b) determining the extent of binding of the polypeptide to the compound.

66. (Amended) A method of modulating levels of a polypeptide in an animal comprising administering to the animal the nucleic acid molecule of [any of claims] claim 1[, 2, or 3].

67. (Amended) A transgenic non-human mammal comprising the nucleic acid molecule of [any of claims] claim 1[, 2, or 3].

75. (Amended) A polynucleotide according to [any one of claims] claim 1 [to 3] attached to a solid support.

76. (Amended) An array of polynucleotides comprising at least one polynucleotide according to [any one of claims] claim 1 [to 3].